

PLEASE NOTE: Legislative Information **cannot** perform research, provide legal advice, or interpret Maine law. For legal assistance, please contact a qualified attorney.

An Act To Clarify Land Planning in the Unorganized and Deorganized Townships of the State

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §685-C, sub-§1, as amended by PL 1977, c. 694, §233, is further amended to read:

1. Comprehensive land use plan. ~~Not later than January 1, 1975 the~~The commission shall adopt an official comprehensive land use plan for the unorganized and deorganized townships of the State.

~~Such plan shall guide the~~The commission must use the plan as a guide in developing specific land use standards and delineating district boundaries and guiding development and generally fulfilling the purposes of this chapter.

The plan may consist of maps, data and statements of present and prospective resource uses ~~which~~that generally delineate the proper use of resources, and recommendations for its implementation.

The commission ~~may~~shall hold public hearings to collect information ~~from residents and property owners of the jurisdiction and other interested parties~~ to be used in establishing the land use guidance plan. The public hearings ~~will~~must be conducted according to commission rules adopted in accordance with procedures for the establishment of rules ~~and regulations~~ pursuant to Title 5, chapter 375, subchapter H2-A.

The commission may, on its own motion or petition of any state agency or regional planning commission, hold such other hearings as ~~it may deem~~the commission considers necessary from time to time for the purpose of obtaining information helpful in the determination of its policies, the carrying out of its duties; or the formulation of its land use standards or rules ~~and regulations~~.

The commission ~~shall~~may not adopt ~~no~~a plan or portion of a plan, unless:

- A. The tentative plan has been submitted to each regional planning commission and other appropriate agencies, which shall forward their comments and recommendations, if any, to the commission within 30 days; ~~and;~~
- B. The tentative plan has been submitted to the State Planning Office, pursuant to Title 5, section 3305, subsection 1, paragraph G, which shall forward its comments and recommendations, if any, to the commission within 30 days; ~~and;~~
- C. The commission has considered all such comments: and adopted the official land use plan; and

D. The commission has submitted the plan to the joint standing committee of the Legislature having jurisdiction over conservation matters for the committee's approval. If the committee approves the plan, it must submit the plan to the Legislature for approval. If the Legislature approves the plan, it must submit the plan to the Governor.

~~Upon adoption of the official land use plan by the commission, it shall submit the plan to the Governor for approval. The Governor shall approve or disapprove the plan, plans or any portion of a plan within 30 days of receipt. If the Governor fails to act, the plan shall be deemed approved. This subsection shall also apply~~applies to any alteration in the comprehensive plan.

SUMMARY

This bill clarifies and amends the process by which the Maine Land Use Regulation Commission adopts a comprehensive land use plan for the unorganized and deorganized townships of the State.